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RECORDS SHOW A TOP DOI OFFICIAL MET WITH HIS FORMER EMPLOYER—A KOCH BROTHERS-LINKED FOUNDATION

A high-level official at the Department of the Interior held meetings with a previous employer, the Koch-linked Texas Public Policy Foundation, while it was involved in legal action against the department, according to newly obtained documents.

JIMMY TOBIAS · MAY 14, 2018

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As allegations of ethics violations mount at the Environmental Protection Agency, new evidence is raising ethics concerns about key Trump administration appointees at the Department of the Interior.

Records reviewed by the *Guardian* and *Pacific Standard* show that a high-level official at the Department of the Interior, Douglas Domenech, held meetings with a previous employer, the Koch-linked Texas Public Policy Foundation, while it was involved in legal action against the department.

Under the ethics rules of the Department of the Interior, a powerful agency that manages hundreds of millions of acres of federal land, employees are usually required to recuse themselves from working on specific matters that involve recent employers and that could create the appearance of a conflict of interest.

The Trump White House has also required political appointees to sign an ethics pledge that forbids them from participating during their first two years in office in "any particular matter involving specific parties that is directly and substantially related to" a former employer or former clients.

"After you start as an Interior Department political appointee you can't be sitting down with former colleagues," says Joel Clement, who became a whistleblower after being pushed out of his post at the Department of the Interior last year by the new administration. "Interior Department employees go through training every single year to make sure they understand these rules inside and out."

Department of the Interior spokesperson Heather Swift says the meetings were "primarily social in nature"—though Domenech's work calendar shows that his meetings with the Texas foundation concerned specific policy matters. She adds that Domenech had reported these meetings to "career ethics officials, and the Department is addressing the matter internally."

The Environmental Protection Agency has labored in recent months under a cloud of suspicion, including allegations of unnecessary spending on first-class plane tickets on the part of its head, Scott Pruitt.

Secretary of the Interior Ryan Zinke, meanwhile, has faced scrutiny over activities including his use of an oil executive's private plane. And the department's second in command, David Bernhardt, has prompted concern over meetings with lobbyists for a casino company that is represented by his former law firm.

Before joining the Trump administration, Domenech, a longtime Republican operative, served as director of the Texas Public Policy Foundation's Fueling Freedom Project, where he was tasked with building a coalition to push back against the Obama-era Clean Power Plan.

While serving as a senior adviser to Zinke, calendar records show that Domenech and other high-level colleagues met twice last April with the conservative Texas foundation, an affiliate of the Koch-brother-backed State Policy Network.

One meeting was with a top foundation lawyer concerning the bone cave harvestman arachnid, an endangered species found in Texas. The foundation has been involved since at least 2015 in a lawsuit against the Department of the Interior to get the arachnid removed from the endangered species list, arguing that the government's regulation of the species is unconstitutional.

Domenech's schedule also shows him meeting with the foundation to discuss the "Red River case," a long-running property dispute between private landowners and the government near the Texas-Oklahoma border. Since 2015, the foundation has been involved in litigation against a division of the Department of the Interior concerning the dispute.

Little more than six months after the foundation's meeting with Domenech, the government settled the Red River lawsuit in an agreement the foundation described as a "major win." Last fall, Domenech was promoted and now serves as a Senate-confirmed assistant secretary in the Department of the Interior.

"The purpose of ethics rules is to give the public comfort that officials are being impartial in applying the law and marshaling out agency decisions," says Austin Evers, a former official at the Department of State and the executive director of the non-partisan ethics watchdog American Oversight. "Having these sorts of meetings with former employers undermines public trust in government."

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